EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Thomas D. Franklin on 20 July 2010.

2.   **In claims:** please amend currently amendment with below amendment:

1.   (Currently amended) An image processing system for searching images

on a network, the image processing system comprising:

(a)   one or more processors;

(b)   a search engine configured to process images according to a matching

algorithm;

(c)   an image analyzer coupled to said search engine, said image analyzer for

comparing first and second images provided thereto from said search engine, wherein:

the first image is associated with a first code associated with a first

predetermined textual annotation,

the second image is associated with a second code associated with

a second predetermined textual annotation,

the first code is descriptive of at least a region of the first image,

the second code is descriptive of at least a region of the second

image, and

the image analyzer uses the matching algorithm for image analysis of the

first and second images along with a comparison of the first and second codes in

determining if the first and second images are likely to compare favorably, wherein:

the matching algorithm comprises a plurality of

factors related to matching that affect how the matching algorithm

operates,

the plurality of factors comprise at least one of

parameters, characteristics, or constraints,

either one or both of the first and second images is

analyzed to identify a subset of the plurality of factors, and

the matching algorithm is automatically tailored to

either exclude or include the subset of the plurality of factors based

upon one or both of:

a determination of which factors are

discriminating for either one or both of the first and

second images, and

information specific to a particular

application.

2.   (Previously presented)   The system of Claim 1 further comprising an
input system coupled to one of said search engine and said image analyzer, said input system
comprising at least one of: a graphical user interface; a facsimile system; a camera system; a
scanner; a network connection; and a video system.

3.   (Previously presented)   The system of Claim 21 wherein the matching
algorithm defines at least one particular region of an image and at least one particular
measurement to make on pixels within each of the at least one particular image region.

4.   (Previously presented)   The system of Claim 3 wherein the matching
algorithm defines at least one measurement to make on one or more pixels in an image region
neighboring the one particular image region.

5.   (Previously presented)   The system of Claim 1 further comprising a
storage device having at least one image stored therein coupled to at least one of said search
engine and said image analyzer.

6. - 20.   (Canceled)

21.   (Previously presented)   The system of Claim 1 wherein said image
analyzer is provided information specific to a particular application to modify a matching
algorithm used in determining if the first and second images compare favorably.

22.   (Currently Amended)   An image processing system for processing
images stored on a network, the image processing system comprising:

one or more processors;

a search engine coupled to the network, wherein the search engine is configured
to process images according to a matching algorithm;

an image analyzer coupled to said search engine, wherein:

the first image is associated with a first code,

the second image is associated with a second code,

the first code is descriptive of the first image's content and is determined
before matching by the image analyzer,

the second code is descriptive of the second image's content and is
determined before matching by the image analyzer,

the image analyzer uses the matching algorithm to automatically analyze
the first and second images and the first and second codes in determining if the first and
second images are likely to compare favorably,

the matching algorithm comprises a plurality of factors related to
matching that affect how the matching algorithm operates,

the plurality of factors comprise at least one of parameters,
characteristics, or constraints,

either the first or second images is analyzed to identify a subset of
the plurality of factors,

information specific to a particular application is used to modify
the matching algorithm used in determining if the first and second images
compare favorably, and

the matching algorithm is automatically tailored to either exclude
or include the subset of the plurality of factors based upon a determination of
which factors are discriminating for either the first or second image; and

an input system coupled to at least one of said search engine and said image
analyzer, wherein the input system is accessible from the Internet.

23.   (Previously presented)   The image processing system for processing
images stored on the network as recited in claim 22, wherein said image analyzer is provided
information specific to a particular application to modify said matching algorithm used in
determining if the first and second images compare favorably.

24.   (Previously presented)   The image processing system for processing
images stored on the network as recited in claim 22, wherein said input system comprising of at
least one of: a graphical user interface; a facsimile system; a camera system; a scanner; a
network connection; and a video system.

25. - 36.   (Canceled)

37.   (Previously presented)   The system of Claim 1, wherein:
the second image is part of a plurality of images, which are associated with a
plurality of codes,

the image analyzer compares the first code and the plurality of codes to find a
subset of the plurality of images that compare favorably, wherein the second image is part of the
subset.

38.   (Previously presented)   The system of Claim 1 wherein at least one of the
first and second codes is human determined.

39.   (Previously presented)   The image processing system for processing images stored on the network as recited in claim 22, wherein the first code is textual and derived with manual determination.

40. - 68.   (Canceled)

69.   (Currently Amended)   A method for searching images on the Internet executed with one or more processors, the method comprising:

receiving indication of a first image to compare with a second image, wherein the indication is received from the Internet, wherein:

the first image is associated with a first code associated with a first predetermined textual annotation,

the second image is associated with a second code associated with a second predetermined textual annotation,

the first code is descriptive of at least a region of the first image, and

the second code is descriptive of at least a region of the second image; and

determining which factors are discriminating for either one or both of the first and second images through analysis of either one or both of the first and second images to identify a subset of a plurality of factors that are discriminating;

providing information specific to a particular application to modify the matching algorithm used in determining if the first and second images compare favorably;

automatically tailoring a matching algorithm to either exclude or include the subset of the plurality of factors, wherein:

the matching algorithm comprises the plurality of factors that affect how the matching algorithm operates, and

the plurality of factors comprise at least one of parameters, characteristics, or constraints; and

determining if the first and second images compare favorably using the matching algorithm, wherein the determining comprises:

performing image analysis of the first and second images, and

comparing the first and second codes to see if they match.

70.   (Cancelled)

71.   (Previously presented)   The method for searching images on the Internet as recited in claim 69, wherein receiving the indication uses at least one of: a graphical user interface; a facsimile system; a camera system; a scanner; a network connection; and a video system.

72.   (Previously presented)   The method for searching images on the Internet as recited in claim 69, wherein:

the second image is part of a plurality of images, which are associated with a plurality of codes,

the matching algorithm compares the first code and the plurality of codes to find a subset of the plurality of images that compare favorably, wherein the second image is part of the subset.

73.   (Previously presented)   The method for searching images on the Internet as recited in claim 69, wherein at least one of the first and second codes is human determined.

74.   (Previously presented)   The method for searching images on the Internet as recited in claim 69, wherein the first code is textual and derived with manual determination.

75.   (Currently Amended)   The method for searching images on the Internet as recited in claim 69, wherein either one or both of the first and second codes is a predetermined textual annotation.

76.   (Currently Amended)   The system of Claim 1, wherein either one or both of the first and second codes is a predetermined textual annotation.

77.   (Previously presented)   The image processing system for processing
images stored on the network as recited in claim 22, wherein at least one of the first and/or
second codes is a predetermined textual annotation.

Allowable Subject Matter

Claims *1-5,21-24,37-39,69 and 71-77 are* allowed.

None of the available prior art of record teaches or fairly suggests "the first image
is associated with a first code associated with a first predetermined textual annotation, the second
image is associated with a second code associated with a second predetermined textual
annotation, the first code is descriptive of at least a region of the first image, the second code is
descriptive of at least a region of the second image, and the image analyzer uses the matching
algorithm for image analysis of the first and second images along with a comparison of the first
and second codes in determining if the first and second images are likely to compare favorably,
wherein: the matching algorithm comprises a plurality of factors related to matching that affect
how the matching algorithm operates, the plurality of factors comprise at least one of parameters,
characteristics, or constraints, either one or both of the first and second images is analyzed to
identify a subset of the plurality of factors, and the matching algorithm is automatically tailored
to either exclude or include the subset of the plurality of factors based upon one or both of: a
determination of which factors are discriminating for either one or both of the first and second
images, and information specific to a particular application" as recited in claim 1.

None of the available prior art of record teaches or fairly suggests:

" the first image is associated with a first code associated with a first predetermined
textual annotation, the second image is associated with a second code associated with a second

predetermined textual annotation, the first code is descriptive of at least a region of the first

image, and the second code is descriptive of at least a region of the second image; and

determining which factors are discriminating for either one or both of the first and second images

through analysis of either one or both o f the first and second images to identify a subset of a

plurality of factors that are discriminating; providing information specific to a particular

application to modify the matching algorithm used in determining if the first and second images

compare favorably; automatically tailoring a matching algorithm to either exclude or include the

subset of the plurality of factors, wherein: the matching algorithm comprises the plurality of

factors that affect how the matching algorithm operates, and the plurality of factors comprise at

least one of parameters, characteristics, or constraints; and determining if the first and second

images compare favorably using the matching algorithm, wherein the determining comprises:

performing image analysis of the first and second images, and comparing the first and second

codes to see if they match" as recited in claim 22.

        None of the available prior art of record teaches or fairly suggests " the first
code is descriptive of the first image's content and is determined before matching by the image
analyzer,
                the second code is descriptive of the second image's content and is
        determined before matching by the image analyzer,
                the image analyzer uses the matching algorithm to automatically analyze
        the first and second images and the first and second codes in determining if the first and
        second images are likely to compare favorably,
                the matching algorithm comprises a plurality of factors related to
        matching that affect how the matching algorithm operates,

the plurality of factors comprise at least one of parameters,
characteristics, or constraints,

either the first or second images is analyzed to identify a subset of
the plurality of factors,

information specific to a particular application is used to modify
the matching algorithm used in determining if the first and second images
compare favorably, and

the matching algorithm is automatically tailored to either exclude or include the

subset of the plurality of factors based upon a determination of which factors are discriminating

for either the first or second image" in claim 69.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to PAUL KIM whose telephone number is (571)272-2737. The

examiner can normally be reached on M-F, 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tony Mahmoudi can be reached on (571) 272-4078. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Cam Y Truong/   Paul Kim
Primary Examiner, Art Unit 2169   Examiner
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